

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
)	
v.)	No. 13 CR 951
)	Judge Robert M. Dow, Jr.
LAURANCE H. FREED,)	
)	
Defendant.)	

MEMORANDUM CONCERNING MOTION FOR RELEASE PENDING APPEAL

Defendant Laurance H. Freed respectfully submits this memorandum concerning his motion for release pending appeal (Doc. 219). In light of the continued delays in obtaining his trial transcript, which he ordered and paid for more than a year ago, and the court reporter's current silence, Freed asks that the Court either extend his surrender date--now set for July 3--or rule on his motion for release pending appeal so that, if the Court denies the motion, he can renew it promptly in the court of appeals.

ARGUMENT

By Order entered November 27, 2017, this Court cited the "high standard" Freed must meet to prevail on his motion for release pending appeal; noted that "[t]he Court Reporter anticipates that she will complete all of the trial transcripts by the end of the year"; and accordingly gave Freed until January 12, 2018 to file a supplemental brief in support of his pending bail motion and the government until January 19 to respond. On its own motion, the Court extended Freed's surrender date from January 5, 2018 until January 30, 2018.

Since January, there have been a series of court reporter extension motions and corresponding extensions in the dates for further bail filings and for Freed's self-surrender. The current dates, based on a then-anticipated transcript completion date of May 29, are June 12 for Freed's supplemental memorandum and June 20 for the government's response, with Freed's surrender date extended to July 3. Doc. 238.

On May 29, the court reporter sought a further extension to complete the trial transcripts, until June 11, and on June 11 the court reporter sought an extension until June 20. But June 20 came and went, without any additional transcripts and without a motion from the court reporter for a further extension. Freed's recent requests via email to the court reporter for rolling production of the transcripts as completed and, on June 22, for an update on the transcripts' status, have gone unanswered. And the Court has not responded to Freed's last two memoranda seeking extensions on his surrender date and other dates in light of the transcript delay. Docs. 239 (filed June 4, after the court reporter missed the May 29 deadline), 240 (filed June 13, after the court reporter missed the June 11 deadline).

Freed thus finds himself in a bizarre limbo. He faces imminent surrender to prison but, despite more than a year of waiting, he lacks the transcripts he needs to make a meaningful argument on the only issue in dispute on bail pending appeal--whether he will present a substantial question of law or fact likely to result in reversal or a new trial. In light of these extraordinary and unfortunate circumstances, Freed requests either a further extension of his surrender date or a prompt ruling on his bail motion so that, if necessary, he can seek relief from the court of appeals before he must report to prison.

Respectfully submitted,

/s/ John D. Cline

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CERTIFICATE OF SERVICE

John D. Cline, Attorney at Law, hereby certifies that the foregoing supplemental memorandum in support of motion for release pending appeal was served on June 25, 2018, in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P.5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

/s/ John D. Cline
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